

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Christopher Anderson	Team: Squad #11	CCRB Case #: 201903814	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 05/03/2019 1:08 PM	Location of Incident: § 87(2)(b)	Precinct: 88	18 Mo. SOL 11/3/2020	EO SOL 6/20/2021	
Date/Time CV Reported Fri, 05/03/2019 4:57 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Fri, 05/03/2019 4:57 PM		
Complainant/Victim	Type	Home Address			
Subject Officer(s)	Shield	TaxID	Command		
1. DT3 Thomas Diggs	1683	936494	088 DET		
Witness Officer(s)	Shield No	Tax No	Cmd Name		
1. DT3 Kha Dang	06550	938318	088 DET		
Officer(s)	Allegation			Investigator Recommendation	
A.DT3 Thomas Diggs	Abuse: Detective Thomas Diggs propositioned § 87(2)(b)				

Case Summary

On May 3, 2019, § 87(2)(b) called the CCRB and filed this complaint.

On May 3, 2019, at approximately 12:48 p.m., Det. Thomas Diggs and Det. Kha Dang, both from the 88th Precinct Detective Squad, visited § 87(2)(b) at her workplace as part of an ongoing investigation of a robbery complaint that she had filed. After meeting with the officers, at 1:08 p.m., § 87(2)(b) received a text message from Det. Diggs that she thought to be a romantic proposition (**Allegation A -Abuse of Authority: Sexual Misconduct (Romantic Proposition)**), § 87(2)(g) § 87(2)(b) was not arrested or issued any summonses as a result of this incident.

No video footage was obtained in this case.

Findings and Recommendations

Allegation (A) Abuse of Authority: Detective Thomas Diggs propositioned § 87(2)(b)

It is undisputed that Det. Diggs sent a text message to § 87(2)(b) that read, with colloquialisms spelled out, “Hey, this is Det. Diggs. I grabbed your number from Det. Dang. I hope you don’t mind. If not, I won’t text you again,” that § 87(2)(b) did not reply to this message, and that Det. Diggs did not further contact her.

§ 87(2)(b) stated to the CCRB (Board Review 01) that she interpreted the text message from Det. Diggs to be an attempt to “hit on” her and that had she replied to the message, she “would be going on a date.”

Det. Diggs stated to the CCRB (Board Review 02) that he obtained § 87(2)(b)'s telephone number after interacting with her from complaint documents in the officers’ vehicle. Because Det. Diggs was investigating a grand larceny complaint, he wished to send a photograph of the “younger guy” perpetrator in that case to § 87(2)(b) to determine whether she recognized that individual. Prior to doing so, Det. Diggs sent the undisputed text message to her from his Department-issued cell phone with telephone number § 87(2)(b). He did so because he wished to send the perpetrator’s photograph to § 87(2)(b) and for no other reason. Det. Diggs did not discuss his text correspondence with § 87(2)(b) with Det. Dang or inform him of his intent in contacting immediately after the incident or at any time outside of the scope of § 87(2)(b)'s subsequently filing complaints against Det. Diggs.

Det. Dang stated to the CCRB (Board Review 03) that Det. Diggs did not request § 87(2)(b)'s contact information from him, did not communicate any intent to contact § 87(2)(b) to him, and did not interact with him regarding § 87(2)(b) whatsoever.

The NYPD’s Information Technology Bureau indicated that the telephone number from which Det. Diggs sent § 87(2)(b) the text message was his Department-issued phone (Board Review 04).

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

Civilian and Officer CCRB Histories

- § 87(2)(b) has been a party to two CCRB complaints and has been named as a victim in four allegations (Board Review 05):
 - § 87(2)(b)
- Det. Diggs has been a member-of-service for 14 years and has been a subject in seven CCRB complaints and 11 allegations, one of which was substantiated. The Board recommended charges, and the NYPD imposed the forfeiture of four vacation days.
 - 201210629 involved a substantiated allegation of Search (of person).
 - § 87(2)(g)

Mediation, Civil and Criminal Histories

- This case was not suitable for mediation.
- As of June 5, 2019, the New York City Office of the Comptroller has no record of a Notice of Claim being filed in regards to this complaint (Board Review 06).
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Squad No.: _____

Investigator: _____

Signature	Print Title & Name	Date
-----------	--------------------	------

Squad Leader: _____

Signature	Print Title & Name	Date
-----------	--------------------	------

Reviewer: _____

Signature	Print Title & Name	Date
-----------	--------------------	------